

FILED

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03/24/2023

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

[This form is for prisoners to sue for civil rights violations. NEATLY print in ink (or type) your answers.]

LARRY FARIEY

[You are the PLAINTIFF, print your full name on this line.]

v.

OWEN COUNTY INDIANA ET AL

[The DEFENDANT is who you are suing. Put ONE name on this line. List ALL defendants below, including this one.]

Case Number 2:23-cv-00149-JPH-MJD

[For a new case in this court, leave blank.
 The court will assign a case number.]

[The top of this page is the caption. Everything you file in this case must have the same caption.
 Once you know your case number, it is VERY IMPORTANT that you include it on everything you send to the court for this case. DO NOT send more than one copy of anything to the court.]

PRISONER COMPLAINT

#	Defendant's Name and Job Title	Work Address
1	[Put the defendant named in the caption in this box.] DON VANDERMOERE II Prosecutor BILL HOBBS Sheriff MITCH FLEETWOOD Officer	
2	[Put the names of any other defendants in these boxes.] AUSTIN COMBS Officer ASPARAGUS Officer Hibbler Marshal	
3	BROWNING Officer MEGAN SCHUELER Attorney JOHN DOE	

[If you are suing more defendants, attach an additional page. Number each defendant. Put the name, job title, and work address of each defendant in a separate box as shown here.]

1. How many defendants are you suing? 9
2. What is the name and address of your prison or jail? Westville correction facility 5501 South 1100 West Westville, IN 46391
3. Did the event you are suing about happen there? Yes. No, it happened at: _____
4. On what date did this event occur? 9/29/2021 - 3/8/2023

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]

CLAIMS and FACTS

DO: Write a short and plain statement telling what each defendant did wrong.

DO: Use simple English words and sentences.

DO NOT: Quote from cases or statutes, use legal terms, or make legal arguments.

DO: Explain when, where, why, and how each defendant violated your rights.

DO: Include every fact necessary to explain your case and describe your injuries or damages.

DO: Number any documents you attach and refer to them by number in your complaint.

DO NOT: Include social security numbers, dates of birth, or the names of minors.

DO: Use each defendant's name every time you refer to that defendant.

DO: Number your paragraphs. [The first paragraph has been numbered for you.]

1. On September 29, 2021 the Owen County Sheriff's department were looking for Bobby Forey as a suspect in a shooting investigation. They went to a residence on Forest Lane which was owned by William Thomas who was Forey's uncle. Sheriff Deputy's Fleet Wood, Combs, Asparagus and Browning went to Forest Lane property in search of Mr. Forey. At Mr. Thomas's property at this time were Mr. Thomas, Larry Farley (suspect's father) Christina Simpson, and [REDACTED] Mr. Thomas's friend named Misty and Mr. Forey's Girlfriend "Brea". Everyone was placed in handcuffs. Deputy Browning stayed with Mr. Farley and the others while the other Deputy's were looking around the property for Forey. Mr. Farley asked Deputy Browning if Body Camera was on. He was told by Browning that it was. There was a Fifth Wheel trailer on a property in which Deputy Fleet had entered searching for Forey. Mr. Farley said why are you looking in that trailer. This private property and you have no search warrant. Fleet wood told Farley that he observed Mr. Forey run into the [REDACTED] woods.

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]

Claims and Facts (continued)

approached the property. Farley was told to shut up and Deputy Fleetwood continued his search. Mr. Farley was told by Deputy Asparagus and Fleetwood to tell where Baby was at or he would be going to prison. Farley told the deputies that he did not know where his son was at. The officers received a call on their radios that the suspect was possibly found and the officers left.

During the course of the investigation A vehicle belonging to Baby Forey was impounded. That evening Mr. Farley received a call from Deputy Asparagus and Fleetwood. They told Mr. Forey's girlfriend "Bree" that they felt sorry for her being a single mother without a vehicle and instructed Mr. Farley to come get the vehicle at which time they came they did. During the two weeks following this incident Mr. Farley was pulled over every day. Some days more than once. He was threatened to tell where Forey was or he would go to prison and be continuously harassed. Mr. Farley was also visited at his residence in Putnam County by Marshal Hister in which he was ticketed and threatened. Hister told Farley to get the fuck out of his township. Farley was advised by his attorney to move. Mr. Farley took his advise and went to his [REDACTED] property in Owens County on Forest Lane. On October 15, 2021 Deputy's Fleetwood, Asparagus and Combs

Claims and Facts (continued)

Came to the property on Forest Lane with a warrant for Mr. Farley for theft. Deputy Asparagos told Farley to tell them where to find Bobby or he was going to jail, he was also told that his truck would be pushed into the ~~Street~~ and it would be impounded. The fifth wheel trailer would also be towed and searched. The deputy told Farley he would then lose them because he would be in jail. Mr. Farley would not tell where he was and was arrested and taken to the County jail. Every day while in jail Mr. Farley was asked where his son was. Mr. Farley refused to ~~help~~. This continued into January until Mr. Farley was arrested.

During an evidentiary hearing on February 2, 2023, prosecutor for the County Don Jandlalane maliciously withheld evidence to prosecute Mr. Farley a.) Property did not belong to Mr. Farley but to Mr. William Thomas. b.) the fifth wheel trailer was not Mr. Farley's but owned by Christina Simpson. c.) impounded truck of Farley twice, and it was legal and Farley was too. Farley ask for them to show in court that RV was Christina's land was Bill Thomas and Blazer. That had flooring in it was Brian and bobby's. They refused to have bobby there he had wrote a letter telling them I was not invaded. The prosecutor refused to bring any evidence to show I didn't do this only showed what help them.

5. When did this event happen?

Before I was confined.
 While I was confined awaiting trial.
 After I was convicted while confined serving the sentence.
 Other: _____

6. Have you ever sued anyone for this exact same event?

No.
 Yes, attached is a copy of the final judgment OR an additional sheet listing the court, case number, file date, judgment date, and result of the previous case(s).

7. Could you have used a prison grievance system to complain about this event?

No, this event is not grievable at this prison or jail.
 Yes, I filed a grievance and attached is a copy of the response from the final step.
 Yes, this event was grievable, but I did not file a grievance because _____

8. If you win this case, what do you want the court to order the defendant(s) to do?

[NOTE: A case filed on this form will not overturn your conviction or change your release date.]

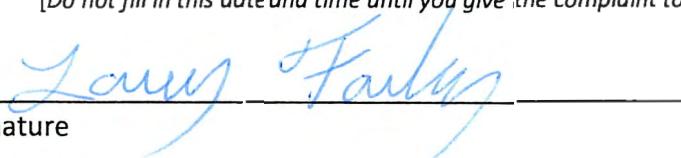
Pay all my loses PUNATIVE damage's
release me from prison
and for pain

Initial Each Statement

I will pre-pay the filing fee OR file a prisoner motion to proceed in forma pauperis.
 I will keep a copy of this complaint for my records.
 I will promptly notify the court of any change of address.
 I WILL NOT send more than one copy of any filing to the court.
 I WILL NOT send summons, USM-285, or waiver forms to the clerk.
 I declare under penalty of perjury that the statements in this complaint are true.

I placed this complaint in the prison mail system on 3/17/2023 at 2:30 am/pm.
[Do not fill in this date and time until you give the complaint to prison officials to send to the court.]

Signature



950773

Prisoner Number

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]